THE HON'BLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.27883 of 2005

Dated: 31.07.2006

Between

P.Venkatanarayana, S/o.Kesanna,
R/o.Peddakowkuntla village,
Uravakonda Mandal,
Anantapur District and another

…Petitioners

And

The Government of Andhra Pradesh,
Dept. of Agriculture & Cooperation,
Rep. by its Principal Secretary,
Secretariat Buildings,
Hyderabad and another.

…Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.27883 of 2005

ORDER:

This writ petition is filed seeking a *mandamus* declaring the orders in Rc.No.1261/2005-C dt.16.12.2005 passed by the second respondent in proposing to merge the Peddakowkuntla Primary Agricultural Cooperative Society into Amidyala Primary Agricultural Society, as arbitrary and illegal.

It is the case of the petitioners that they are the members of Peddakowkuntla Primary Agricultural Cooperative Society. Initially, while exercising power under Section 15 of the A.P. Co-operative Societies Act, 1964 (for short 'the Act') the Peddakowkuntla society was sought to be merged with Uravakonda society along with some other societies. Of course, the petitioners and the society have filed their objections for such merger. However, instead of merging as per their original proposal with Uravakonda society, the Peddakowkuntla society was sought to be merged with Amidyala society. Therefore, earlier they filed writ petition being W.P.No.19116 of 2005 before this Court and the same was disposed of on 25.07.2005 directing the authorities to reconsider the matter. Therefore, the present proceedings were issued asking the society and its members to submit objections or suggestions as to merging of the Peddakowkuntla society with that of Amidyala society. Even before filing any objections, the petitioners filed the writ petition and thereafter they have filed their objections before the authorities. Of course, in view of the interim orders passed by this Court, the authority did not take up the matter and pass the final orders.

The only grievance of the petitioners is that the proposed merger of Peddakowkuntla society with that of Amidyala society is contrary to the guidelines issued by the Government particularly Clause 7 (e)(f) of G.O.Ms.No.176, dated 14.06.2005.

Since the objections filed by the petitioners are pending with the

second respondent, the second respondent is directed to take up those objections and consider the same as per the guidelines issued in G.O.Ms.No.176, dated 14.06.2005 particularly, in relation to Clause 7(e)(f) of the said guidelines and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. There shall be no order as to costs.

C.V. Ramulu, J

Date: 31.07.2006
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